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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10453

RESTORING CERTAIN LANDS COMPRISING PORTIONS OF THE FORT RUGER MILITARY RESERVATION TO THE JURISDICTION OF THE TERRITORY OF HAWAII

WHEREAS certain lands on the Island of Oahu, Territory of Hawaii, which form a part of the public lands ceded and transferred to the United States by the Republic of Hawaii under the joint resolution of annexation of July 7, 1898, 30 Stat. 750, were reserved for military purposes by Executive Order No. 395–A of January 18, 1906, as modified by Executive Order No. 6408 of November 7, 1933, and the Executive orders mentioned therein, and by Executive Order No. 10268 of July 5, 1951, and

WHEREAS the hereinafter-described parcels of such lands are no longer needed for military purposes, and it is deemed advisable and in the public interest that they be restored to the possession, use, and control of the Territory of Hawaii:

NOW, THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

The following-described parcels of land comprising portions of the Fort Ruger Military Reservation, located on the Island of Oahu, Territory of Hawaii, are hereby restored to the possession, use, and control of the Territory of Hawaii:

PARCEL NO. I

Beginning at the west corner of this piece of land, on the southeasterly end of Campbell Avenue, the azimuth and distance of the said point of beginning to Concrete Monument No. 10 of Fort Ruger Military Reservation being 63° 08' 40" 34.50 feet, thence running by azimuths measured clockwise from true South:

1. 243° 08' 40" 433.9 feet along Kapiolani Park Tract (File Plan 151);
2. 352° 08' 40" 58.7 feet along the remainder of Tract No. 1 of Presidential Executive Order No. 6408, dated November 7, 1933;
3. Thence on a curve to the right with a radius of 119.0 feet, along the same, the chord azimuth and distance being 18° 03' 40" 104.0 feet;
4. 43° 58' 40" 9.8 feet along the same;
5. 153° 08' 40" 42.4 feet along the tract in Presidential Executive Order No. 6408, dated November 29, 1933;
6. 63° 08' 40" 312.5 feet along the same;
7. 140° 52' 00" 92.1 feet along the same to the point of beginning; containing an area of 38,341 square feet or 0.88 acre, more or less.

PARCEL NO. II—RIGHT-OF-WAY FOR PIPELINE AND ROADWAY PURPOSES

Beginning at an unmarked point located on the boundary of the reservoir lot from which the azimuth (measured clockwise from true South) and distance to Monument No. 10 is 112° 27' 45" 70.67 feet, thence from the said point of beginning by metes and bounds:

320° 52' 00"—25.00 feet along reservoir-lot boundary;
63° 08' 40"—44.00 feet across the reservoir lot;
140° 52' 00"—25.00 feet along reservoir-lot boundary;
243° 08' 40"—44.00 feet to the point of beginning; containing an area of 1,100 square feet.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
May 18, 1953.

[F. R. Doc. 53-4467; Filed, May 19, 1953; 10:17 a. m.]

EXECUTIVE ORDER 10454

RESTORING CERTAIN LANDS OF THE SCHOFIELD BARRACKS MILITARY RESERVATION TO THE JURISDICTION OF THE TERRITORY OF HAWAII

WHEREAS certain lands in Waianae-Uka, District of Waianae; and Waikakalaua, District of Ewa, Island of Oahu, Territory of Hawaii, which form a part of the public lands ceded and transferred to the United States under the joint resolution of annexation of July 7, 1898, 30 Stat. 750, were reserved for military purposes by Executive Order of July 20, 1899, as modified by Executive Orders No. 1137 of November 15, 1909, No. 1242 of August

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

23, 1910, No. 2800 of February 4, 1918, No. 5771 of January 4, 1932, and No. 9995 of September 2, 1948; and

WHEREAS the hereinafter-described parcels of such lands are no longer needed for military purposes, and it is deemed advisable and in the public interest that they be restored to the possession, use, and control of the Territory of Hawaii:

NOW THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

The following-described parcels of land comprising parts of the Schofield Barracks Military Reservation, located on the Island of Oahu, Territory of Hawaii, are hereby restored to the possession, use, and control of the Territory of Hawaii:

PARCEL NO. I

Beginning at United States Military Reservation Monument No. 39 (Kokoloea Triangulation Station) at the east corner of this piece of land, on the northwest side of Wilikina Drive, the coordinates of the said point of beginning referred to Government Survey Triangulation Station "Waipio-Uka" being 14,466.43 feet North and 10,630.87 feet West, thence running by azimuths measured clockwise from true South:

1. First on a curve to the right with a radius of 1780.73 feet across Wilikina Drive (Parcel XVII, Presidential Executive Order No. 9995, dated September 2, 1948), the chord azimuth and distance being 25° 53′ 42″ 5.01 feet;

2. 72° 49′ 26″ 147.61 feet along Wilikina Drive (Part b-b, Presidential Executive Order No. 2800, dated February 4, 1918)·

3. 129° 24′ 02″ 546.09 feet along Kaukonahua Road (Part b-a, Presidential Executive Order No. 2800, dated February 4, 1918)·

4. Thence on a curve to the left with a radius of 1405.78 feet along the southerly side of Kaukonahua Road (Parcel XVIII, Presidential Executive Order No. 9995, dated September 2, 1948), the chord azimuth and distance being 286° 35′ 04″ 84.09 feet;

5. 299° 26′ 20″ 556.90 feet along Lot 1-A of Grant 4616 to Mrs. Mary E. Clark, along land deeded to E. D. Tenney Trustees by the Territory of Hawaii, deed dated May 3, 1907, and recorded in Liber 291, Pages 336-338, to the point of beginning; containing an area of 40,701 square feet or 0.934 acre.

PARCEL NO. II

Beginning at the northwest corner of this piece of land, on the northeasterly side of Kaukonahua Road and on the southerly side of Grant 4623 to L. G. Kellogg, the coordinates of the said point of beginning referred to Government Survey Triangulation Station "Waipio-Uka" being 16,497.94 feet North and 13,274.06 feet West, thence running by azimuths measured clockwise from true South:

1. 285° 30′ 15″ 105.39 feet along Grant 4623 to L. G. Kellogg;

2. 29° 00′ 43.66 feet along the remainder of Schofield Barracks Military Reservation (Presidential Executive Order No. 2800, dated February 4, 1918);

3. 129° 32′ 20″ 104.24 feet along the northeasterly side of Kaukonahua Road to the point of beginning; containing an area of 2,237 square feet or 0.051 acre.

PARCEL NO. III

Beginning at the west corner of this piece of land, on the easterly side of Schofield-Wahiawa Cut-off, the coordinates of the said

point of beginning referred to Government Survey Triangulation Station 'Waipio Uka' being 18 655 30 feet North and 14 272 89 feet West, thence running by azimuths measured clockwise from true South:

1 261 09 40' 297 48 feet along Schofield-Wahiawa Cut off, along Grant 4623 to L G Kellogg to United States Military Reservation Monument No 33;

2 354 22 30 ' 529 20 feet along Grant 4623 to L G Kellogg to United States Military Reservation Monument No 34;

3 358 07 15 ' 453 76 feet along the same;

4. 76° 56' 20 ' 140 19 feet along Parcel XXX of Presidential Executive Order No 9995, dated September 2, 1948;

5. 166° 56' 20'' 991 80 feet along the easterly side of Schofield Wahiawa Cut off to the point of beginning; containing an area of 222 948 square feet or 5 118 acres

DWIGHT D EISENHOWER

THE WHITE HOUSE,
May 18, 1953

[F R Doc 53-4488; Filed May 19 1953; 10:17 a m]

RULES AND REGULATIONS

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1 Amdt 138 to Schedule A]

[Rent Regulation 2, Amdt 136 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

KENTUCKY, MARYLAND, AND TEXAS

Effective May 20, 1953, Rent Regulation 1 and Rent Regulation 2 are amended so that the items indicated below of Schedules A read as set forth below

(Sec 204 61 Stat 197, as amended; 50 U S C App Sup 1894)

Issued this 15th day of May 1953

GLENWOOD J. SHERRARD,
Director of Rent Stabilization

State and name of defense rental area	Class	County or counties in defense rental area under regulation	Maximum rent date	Effective date of regulation
Kentucky				
(124b)		[Revoked and decontrolled]		
Maryland				
(139) Baltimore	B	The city of Baltimore; in ANNE ARUNDEL COUNTY, all unincorporated localities except the e, if any, in election districts 1, 7, and 8; in BALTIMORE COUNTY, all unincorporated localities; in CECIL COUNTY, election district 3, containing the city of Elkton; HARFORD COUNTY; in HOWARD COUNTY, all unincorporated localities except those if any, in election districts 3, 4 an 1 5.	Apr 1 1941	July 1, 1942
	C	HARFORD COUNTY; in CECIL COUNTY, election district 3, containing the city of Elkton.	Jan 1, 1951	Nov 7, 1951
	A	CECIL COUNTY, except election district 3, containing the city of Elkton	do	Do
(142) Montgomery Prince Georges	B	In MONTGOMERY COUNTY, the city of Rockville and the towns of Gaithersburg, Glen Echo, and Kensington, and the unincorporated area of said county; in PRINCE GEORGES COUNTY, the cities of Greenbelt, Hyattsville, North Brentwood, Mount Ranier, and Seat Pleasant, the towns of Brentwood, Cottage City, Fairmont Heights, and Riverdale	Jan 1 1941	July 1, 1942
Texas				
(320) Florence Killeen		[Revoked and decontrolled]		

These amendments decontrol the following based on the joint determination and certification by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the act that the localities indicated below are no longer included within a critical defense housing area:

The Henderson-Union Counties Defense Rental Area in the State of Kentucky;

In Election Districts 4 and 5 Anne Arundel County, Maryland, portions of the Baltimore Defense Rental Area the following: (a) All incorporated localities and (b) in the unincorporated localities all those housing accommodations which were placed under control on March 6 1952 by virtue of the original certification as a critical defense housing area;

Election Districts 10 and 11 in Prince Georges County Maryland, portions of the Montgomery Prince Georges Defence Rental Area; and

The Florence Killeen Defense Rental Area in the State of Texas

[F R Doc 53-4437; Filed May 19, 1953; 8:50 a m]

[Rent Regulation 3, Amdt 132 to Schedule A]

[Rent Regulation 4, Amdt 75 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

KENTUCKY, MARYLAND, AND TEXAS

Effective May 20, 1953, Rent Regulation 3 and Rent Regulation 4 are amended so that the items indicated below of Schedules A read as set forth below

(Sec 201, 61 Stat 197, as amended; 50 U S C App Sup 1894)

Issued this 15th day of May 1953

GLENWOOD J SHERRARD,
Director of Rent Stabilization

Name of defense-rental area	State	County or counties in defense rental area under regulation	Maximum rent due	Effective date of regulation
(124b).....	.....	[Revoked and decontrolled]	Jan 1, 1951	Nov 7, 1951
(139) Baltimore	Maryland	HARFORD and CECIL..		
(142)		[Revoked and decontrolled]		
(320)		[Revoked and decontrolled]		

These amendments decontrol the following based on the joint determination and certification by the Secretary of Defense and Director of Defense Mobilization under section 204 (l) of the act that such localities are no longer included within a critical defense housing area.

The Henderson-Union Counties Defense-Rental Area in the State of Kentucky;

Election Districts 4 and 5 in Anne Arundel County, Maryland, portions of the Baltimore Defense-Rental Area;

The Montgomery-Prince Georges Defense-Rental Area in the State of Maryland;

The Florence-Killeen Defense-Rental Area in the State of Texas.

[F. R. Doc. 53-4436; Filed. May 19, 1953; 8:50 a. m.]

TITLE 50—WILDLIFE

Chapter III—International Regulatory Agencies (Fishing and Whaling)

Subchapter A—International Fisheries Commission

PART 301—PACIFIC HALIBUT FISHERIES

Sec.

AUTHORITY: §§ 301.1 to 301.15 issued under Art. III, 50 Stat. Part 2, 1953.

Part 301 of Chapter III, Title 50, is revised to read as follows:

§ 301.1 *Regulatory areas.* (a) Convention waters which include the territorial waters and the high seas off the western coasts of Canada and the United States of America including the southern as well as the western coasts of Alaska shall be divided into the following areas, all directions given being magnetic unless otherwise stated.

(b) Area 1A shall include all convention waters southeast of a line running northeast and southwest through Cape Blanco Light, as shown on Chart 5952, published in February, 1935, by the United States Coast and Geodetic Survey which light is aproximately latitude 42°50'14" N., longitude 124°33'45" W

(c) Area 1B shall include all convention waters between Area 1A and a line running northeast and southwest through Willapa Bay Light on Cape Shoalwater, as shown on Chart 6185, published in July 1939, by the United States Coast and Geodetic Survey, which light is approximately in latitude 46°43'17" N., longitude 124°04'15" W

(d) Area 2A shall include all convention waters off the coasts of the United States of America and of Alaska and of the Dominion of Canada between Area 1B and a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light as shown on Chart 8304, published in June 1940 by the United States Coast and Geodetic Survey, which light is approximately latitude 58°11'57" N., longitude 136°38'18" W., thence south one-quarter east and is exclusive of Area 2B and Area 2C and of the nursery areas closed to all halibut fishing in § 301.9.

(e) Area 2B shall include all convention waters in the southern part of Hecate Strait off the coast of British Columbia within the following boundary: From the eastern extremity of Cumshewa Head on Moresby Island, approximately latitude 53°02'00" N., longitude 131°36'20" W., to the northern extremity of the second largest island of the Moore Islands group, approximately latitude 52°40'05" N., longitude 129°25'32" W., thence to the northern extremity of Conroy Island, approximately latitude 52°32'05" N., longitude 129°24'15" W., thence to McInnes Island Light on McInnes Island, approximately latitude 52°15'45" N., longitude 128°43'22" W., thence southwest by south approximately 99 miles to a point approximately latitude 51°28'55" N., longitude 131°00'56" W., thence true north through Cape St. James Light to a point on the southern end of Kunghit Island, approximately latitude 51°56'42" N., longitude 131°00'54" W., thence along the eastern shore of Kunghit Island to Moore Head, approximately latitude 52°09'02" N., longitude 131°03'00" W., thence to Point Langford, approximately latitude 52°09'48" N., longitude 131°02'36" W., on Moresby Island; thence along the eastern shore of Moresby Island to the point of origin on Cumshewa Head. The point on Cumshewa Head shall be determined from Chart 394, as published May 1941 by the Department of Mines and Resources, Ottawa; the points on Moore Islands and McInnes Island shall be determined from Chart 3726, as published August 1942 by the Department of Mines and Resources, Ottawa; and the points on St. James Island, Kunghit Island and Moresby Island shall be determined from Chart 3853, as published June 1949 by the Department of Mines and Resources, Ottawa. *Provided,* That the duly authorized officers of the Dominion of Canada may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such marks shall thereafter be considered as correctly defining said boundary.

(f) Area 2C shall include all convention waters off the coast of southeastern Alaska within the following boundary: From southern extremity of Cape Addington, Noyes Island, latitude 55°26'11" N., longitude 133°49'12" W., to the southern extremity of Granite Point, approximately latitude 55°18'57" N., longitude 133°41'25" W., on Baker Island; thence along the southern shore of Baker Island to Cape Bartolome, approximately latitude 55°14'13" N., longitude 133°36'42" W., thence to Cape Augustine, approximately latitude 54° 56'56" N., longitude 133°09'58" W., on Dall Island; thence along the shore of Dall Island to Point Cornwallis, approximately latitude 54°42'03" N., longitude 132°52'30" W., thence southwest fifty miles to a point approximately latitude 54°27'20" N., longitude 134°14'10" W.; thence northwest fifty-three miles to a point approximately latitude 55°17'43" N., longitude 134°40'00" W., thence northeast to the point of origin on Cape Addington. The boundary lines herein indicated shall be determined from Chart 8152 as published March 1933 by the United States Coast and Geodetic Survey, Washington, D. C., except that the points on Cape Addington, Granite Point and Cape Bartolome shall be determined from Chart 8158, as published September 1941 by the United States Coast and Geodetic Survey, Washington, D. C., and the point on Cape Augustine shall be determined from Chart 8148, as published June 1925 by the United States Coast and Geodetic Survey, Washington, D. C., and the point on Point Cornwallis shall be determined from Chart 8146 as published February 1925 by the United States Coast and Geodetic Survey Washington, D. C.. *Provided,* That the duly authorized officers of the United States of America may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such mark or marks shall thereafter be considered as correctly defining said boundary.

(g) Area 3A shall include all the convention waters off the coast of Alaska that are between Area 2A and a straight line running approximately south three-quarters east from the Alaska Peninsula, near Bold Cape approximately latitude 55°01'15" N., longitude 162°15'45" W., through the highest point on Deer Island approximately latitude 54°57'45" N., longitude 162°16'45" W., and through the highest point on Caton Island approximately latitude 54°24'00" N., longitude 162°26'00" W The points on the Alaska Peninsula, on Deer and Caton Islands shall be determined from Chart 8860 as published December 1942 by the United States Coast and Geodetic Survey, Washington, D. C.

(h) Area 3B shall include all the convention waters off the coast of Alaska that are between Area 3A and a straight line running from the light on Cape Kabuch at the head of Ikatan Bay as shown on Chart 8701 published in February, 1943, by the United States Coast and Geodetic Survey which light is approximately latitude 54°49'03" N., longitude 163°21'42" W., thence to Cape Sarichef Light at the western end of Unimak Island as shown on Chart 8860 published in December 1942 (12th Edition) by the United States Coast and Geodetic Survey which light is approximately latitude 54°36'00" N., longitude 164°55'45" W., thence true west.

(i) Area 4 shall include all convention waters in Bering Sea which are not included in Area 3B.

§ 301.2 *Limit of catch in each area.* (a) The catch of halibut to be taken during the halibut fishing season of the year 1953 from Area 2A shall be limited

to approximately 25,500,000 pounds of salable halibut, and from Area 3A to approximately 28,000,000 pounds of salable halibut, the weights in each or any such limit to be computed as with heads off and entrails removed.

(b) The catch of halibut to be taken from all areas during the halibut fishing season of the year 1953 shall also be limited to halibut which with head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight, and the possession of any halibut of less than the above length or the above weight, according to whether the head is on or off, by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(c) The International Fisheries Commission shall as early in the said year as is practicable determine the date on which it deems each limit of catch defined in paragraph (a) of this section will be attained, and the limit of each such catch shall then be that which shall be taken prior to said date, and fishing for or catching of halibut in the area or areas to which such limit applies shall at that date be prohibited until after the end of the closed season as defined and modified in § 301.3, except as provided in § 301.5 and in Article I of the Convention, and provided that if it shall at any time become evident to the International Fisheries Commission that the limit will not be reached by such date, it may substitute another date.

§ 301.3 *Length of closed season.* (a) Under the authority of Article I of the aforesaid Convention the closed season as therein defined shall be modified in Areas 1A, 1B, 2A, and 3A, so as to end at 12:01 a. m. of the 17th day of May of the year 1953 and to begin at 11:59 p. m. of the 30th day of November of the year 1953 unless an earlier date is determined upon for any area under the provisions of paragraph (b) of this section, and shall be modified in Areas 2B and 2C so as to end at 12:01 a. m. of the 31st day of July of the year 1953 and to begin at 11:59 p. m. of the 9th day of August of the year 1953, and shall be modified in Areas 3B and 4 so as to end at 12:01 a. m. of the 5th day of August of the year 1953 and to begin at 11:59 p. m. of the 29th day of August of the year 1953.

(b) Under authority of Article I of the Convention, the closed season as therein defined shall begin in Areas 2A and 3A on the dates on which their limits are reached as provided in § 301.2 (c) and the closing of such area or areas shall be taken to have been duly approved unless before the said date either the President of the United States of America or the Governor General of Canada shall have signified his disapproval (the burden of proving any such signification being upon the person alleging it) *And provided,* That the closing date of Area 2A or of Area 3A, whichever shall be later, shall apply to Area 1A, and that the closing date of Area 2A shall apply to Area 1B.

(c) Nothing contained in this part shall prohibit the fishing for species of fish other than halibut or prohibit the International Fisheries Commission from conducting fishing operations as provided for in Article I of the Convention.

§ 301.4 *Issuance of licenses and conditions limiting their validity.* (a) All vessels of any tonnage which shall fish for halibut in any manner or hold halibut in possession in any area, or which shall transport halibut otherwise than as a common carrier documented by the Government of the United States or of Canada for the carriage of freight, must be licensed by the International Fisheries Commission: *Provided,* That vessels of less than five net tons or vessels which do not use set lines need not be licensed unless they shall require a permit as provided in § 301.5.

(b) Each vessel licensed by the International Fisheries Commission shall carry on board at all times while at sea the halibut license thus secured whether it is validated for halibut fishing or endorsed with a permit as provided in § 301.6 and this license shall at all times be subject to inspection by authorized officers of either of said Governments or by representatives of the International Fisheries Commission.

(c) The halibut license shall be issued without fee by the customs officers of either of said Governments or by representatives of the International Fisheries Commission or by fishery officers of either of said Governments at places where there are neither customs officers nor representatives of the International Fisheries Commission. A new license may be issued by the officer accepting statistical return at any time to vessels which have furnished proof of loss of the license form previously issued, or when there shall be no further space for record thereon, providing the receipt of statistical return shall be shown on the new form for any halibut or other species taken during or after the voyage upon which loss occurred. The old license form shall be forwarded in each case to the International Fisheries Commission.

(d) The halibut license of any vessel shall be validated before departure from port for each halibut fishing operation for which statistical return is required. This validation of a license shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area in which the vessel will fish is entered on the license form and unless the provisions of § 301.7 have been complied with for all landings and all fishing operations since issue of the license: *Provided,* That if the master or operator of any vessel shall fail to comply with the provisions of § 301.7, the halibut license of such vessel may be validated by customs officers or by fishery officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

(e) The halibut license of any vessel fishing for halibut in Area 1A as defined in § 301.1 after the closure of Areas 1B and 2A must be validated at a port or place within Area 1A prior to each such fishing operation.

(f) The halibut license of any vessel fishing for halibut in Area 3B or Area 4 must be validated at a port or place within Area 3B prior to such fishing and again before said vessel departs from Area 3B subsequent to such fishing if said vessel has any halibut on board.

(g) No halibut license shall be validated for departure for halibut fishing in Areas 1A or 1B or 2A before 12:01 a. m. of the 15th day of May of the year 1953; or for departure for halibut fishing in Areas 2B or 2C before 12:01 a. m. of the 29th day of July of the year 1953; or for departure for halibut fishing in Area 3A from any port or place outside Area 3A before 12:01 a. m. on the 12th day of May of the year 1953 or from any port or place within Area 3A before 12:01 a. m. of the 15th day of May of the year 1953; or for departure for halibut fishing in Area 3B or Area 4 before 12:01 a. m. of the 3d day of August of the year 1953 from any port or place within Areas 3B or 4.

(h) No halibut license shall be valid for halibut fishing in more than one of Areas 1A, 1B, 2A, 2B, 2C or 3A, as defined in § 301.1, during any one trip nor shall it be revalidated for halibut fishing in another of said areas while the vessel has any halibut on board.

(i) The halibut license shall not be valid for halibut fishing in any area closed to halibut fishing or for the possession of halibut in any area closed to halibut fishing except while in actual transit to or within a port of sale and as provided in paragraph (k) of this section.

(j) The halibut license shall not be valid for halibut fishing in any area while a permit endorsed thereon is in effect, nor shall it be validated while halibut taken under such permit is on board.

(k) The halibut license of any vessel when validated for halibut fishing in Area 3A shall not be valid for the possession of any halibut in Areas 2A, 2B or 2C if said vessel is in possession of baited gear more than 25 miles from Cape Spencer Light, Alaska; and the halibut license of any vessel when validated for halibut fishing in Area 2B or Area 2C shall not be valid for the possession of any halibut in Area 2A if said vessel is in possession of baited gear more than 20 miles by navigable water route from the boundaries of the respective areas.

(l) No person on any vessel which is required to have a halibut license under paragraph (a) of this section shall fish for halibut or have halibut in his possession, unless said vessel has a valid license issued and in force in conformity with the provisions of this section.

§ 301.5 *Retention of halibut taken with other fish under permit.* (a) There may be retained for sale on any vessel which shall have a permit as provided in § 301.6 such halibut as is caught incidentally to fishing by that vessel in any area

after it has been closed to halibut fishing under §§ 301.2 or 301.3 with set lines (of the type commonly used in the Pacific Coast halibut fishery) for other species, not to exceed at any time one pound of halibut for each seven pounds of salable fish, actually utilized, of other species not including salmon or tuna, and such halibut may be sold as the catch of said vessel, the weight of all fish to be computed as with heads off and entrails removed: *Provided,* That it shall not be a violation of this regulation for any such vessel to have in possession halibut in addition to the amount herein allowed to be sold if such additional halibut shall not exceed thirty per cent of such amount and shall be forfeited and surrendered at the time of landing as provided in paragraph (f) of this section.

(b) There may be retained for sale on any vessel which shall have a permit as provided in § 301.6 such halibut as is caught incidentally to fishing for species of crab by that vessel in Area 4 after 12:01 a. m. of the 30th day of August of the year 1953 with bottom trawl nets (of the type commonly used in the Bering Sea king crab fishery) whose cod ends or fish bags shall consist of webbing whose dry-stretched mesh shall measure not less than 12 inches between knots or hog rings not to exceed at any time one pound of halibut for each five pounds drained weight of salable picked crab meat or the equivalent drained weight of crab meat in the shell or in vacuum-packed heat processed containers. The equivalent weight of meat in the shell shall be computed on the basis of 15 pounds of meat in the shell being equal to 6 pounds of drained picked crab meat and the equivalent weight of processed meat shall be computed on the basis of 6½ ounces of drained weight of processed crab being equal to 8 ounces of picked crab meat.

(c) The catch of halibut taken and retained under such permit shall be limited to halibut which with the head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight, and the possession of any halibut of less than the above length or the above weight, according to whether the head is on or off, by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(d) Halibut retained under such permit shall not be filleted, fletched, steaked or butchered beyond the removal of the head and entrails while on the catching vessel.

(e) Halibut retained under such permit shall not be landed or otherwise removed or be received by any person, firm or corporation from the catching vessel until all halibut on board shall have been reported to a customs, fishery or other authorized enforcement officer of either of said Governments by the captain or operator of said vessel and also by the person, firm or corporation receiving the halibut, and no halibut or other fish or crabs shall be landed or removed or be received from the catching vessel except with the permission of said officer and under such supervision as the said officer may deem advisable.

(f) Halibut retained under such permit shall not be purchased or held in possession by any person other than the master, operator or crew of the catching vessel in excess of the proportion allowed in paragraph (a) of this section until such excess whatever its origin shall have been forfeited and surrendered to the customs, fishery or other authorized officers of either of said Governments. In forfeiting such excess, the vessel shall be permitted to surrender any part of its catch of halibut: *Provided,* That the amount retained shall not exceed the proportion herein allowed.

(g) Permits for the retention and landing of halibut caught in Areas 1A, 1B, 2A, 2B, 2C, 3A or 3B in the year 1953 shall become invalid at 11:59 p. m. of the 16th day of November of said year or at such earlier date as the International Fisheries Commission shall determine.

(h) Permits shall become invalid for the retention of halibut caught in Area 4 after 11:59 p. m. of the 14th day of November in the year 1953 and shall become invalid for the landing of halibut caught under permit in Area 4 after 11:59 p. m. of the 14th day of December of the year 1953 or at such earlier dates as the International Fisheries Commission shall determine.

§ 301.6 *Issuance of permits and conditions limiting their validity.* (a) Any vessel which shall be used in fishing for other species than halibut in any area after it has been closed to halibut fishing under § 301.2 or § 301.3 must have a halibut license and a permit if it shall retain, land or sell any halibut caught incidentally to such fishing or possess any halibut of any origin during such fishing, as provided in § 301.5.

(b) The permit shall be shown by endorsement of the issuing officer on the face of the halibut license form held by said vessel and shall show the area or areas for which the permit is issued.

(c) The permit shall terminate at the time of first landing thereafter of fish or crabs of any species and a new permit shall be secured before any subsequent fishing operation for which a permit is required.

(d) A permit shall not be issued to any vessel which shall have halibut on board taken while said vessel was licensed to fish in an open area unless such halibut shall be considered as taken under the issued permit and is thereby subject to forfeiture when landed if in excess of the proportion permitted in § 301.5 (a) or (b)

(e) A permit shall not be issued to, or be valid if held by, any vessel which shall fish with other than set lines of the type commonly used in the Pacific Coast halibut fishery except in Area 4 as provided in § 301.5 (b)

(f) The permit of any vessel shall not be valid unless the permit is granted before departure from port for each fishing operation for which statistical returns are required. This granting of a permit shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area or areas in which the vessel will fish is entered on the halibut license form and unless the provisions of § 301.7 have been complied with for all landings and all fishing operations since issue of the license or permit: *Provided,* That if the master or operator of any vessel shall fail to comply with the provisions of § 301.7, the permit of such vessel may be granted by customs or fishery officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

(g) A permit shall not be valid for the landing of halibut caught incidentally to fishing for crabs in Area 4 unless the vessel shall show documentary evidence of date of departure from some port or place within said regulatory area, or from Akutan, Alaska, subsequent to such fishing. Such documentary evidence may consist of a certified written statement of a properly identified and responsible resident within Area 4 or at Akutan.

(h) The permit of any vessel shall not be valid if said vessel shall have in its possession at any time halibut in excess of the amount allowed under § 301.5 (a) or (b)

(i) No person shall retain, land or sell any halibut caught incidentally to fishing for other species in any area closed to halibut fishing under §§ 301.2 or 301.3, or shall have halibut of any origin in his possession during such fishing, unless such person is a member of the crew of and is upon a vessel with a halibut license and with a valid permit issued and in force in conformity with the provisions of § 301.5 and this section.

§ 301.7 *Statistical return by vessels.* (a) Statistical return as to the amount of halibut taken during fishing operations must be made by the master or operator of any vessel licensed under this part and as to the amount of halibut and other species by the master or operator of any vessel operating under permit as provided for in §§ 301.5 and 301.6, within 96 hours of landing, sale or transfer of halibut or of first entry thereafter into a port where there is an officer authorized to receive such return.

(b) The statistical return must state the port of landing and the amount of each species taken within the area defined in this part, for which the vessel's license is validated for halibut fishing or within the area or areas for which the vessel's license is endorsed as a permit.

(c) The statistical return must include all halibut landed or transferred to other vessels and all halibut held in possession on board and must be full, true and correct in all respects herein required. A copy of such return must be forwarded to the International Fisheries Commission at such times as the latter shall require.

(d) The master or operator or any person engaged on shares in the operation of any vessel licensed or holding a permit under these regulations may be required by the International Fisheries Commission or by any officer of either of said Governments authorized to receive such return to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement. Validation of a halibut license or issuance of a permit after such sworn return is made shall be provisional and shall not render the license or permit valid in case the return shall later be shown to be false or fraudulently made.

(e) The master or operator of any vessel holding a license or permit under this part shall keep an accurate log of all fishing operations including therein date, locality, amount of gear used, and amount of halibut taken daily in each such locality. This log record shall be open to inspection by representatives of the International Fisheries Commission authorized for this purpose.

(f) The master, operator or any other person engaged on shares in the operation of any vessel licensed under this part may be required by the International Fisheries Commission or by any officer of either of said Governments to certify to the correctness of such log record to the best of his information and belief and to support the certificate by a sworn statement.

§ 301.8 *Statistical return by dealers.* (a) All persons, firms or corporations that shall buy halibut or receive halibut for any purpose from fishing or transporting vessels or other carrier shall keep and on request furnish to customs officers or to any enforcing officer of either of said Governments or to representatives of the International Fisheries Commission, records of each purchase or receipt of halibut, showing date, locality, name of vessel, person, firm or corporation purchased or received from and the amount in pounds according to trade categories of the halibut and other species landed with the halibut.

(b) All persons, firms or corporations receiving fish from a vessel fishing under permit as provided in § 301.5 shall within 48 hours make to an authorized enforcing officer of either of said Governments a signed statistical return showing the date, locality, name of vessel received from and the amount of halibut and of other species landed with the halibut and certifying that permission to receive such fish was secured in accordance with § 301.5 (e) Such persons, firms or corporations may be required by any officer of either of said Governments to support the accuracy of the above signed statistical return with a sworn statement.

(c) All records of all persons, firms or corporations concerning the landing, purchase, receipt and sale of halibut and other species landed therewith shall be open at all times to inspection by any enforcement officer of either of said Governments or of any authorized representative of the International Fisheries Commission. Such persons, firms or corporations may be required to certify to the correctness of such records and to support the certificate by a sworn statement.

(d) The possession by any person, firm or corporation of halibut which such person, firm or corporation knows to have been taken by a vessel without a valid halibut license or a vessel without a permit when such license or permit is required, is prohibited.

(e) No person, firm or corporation shall unload any halibut from any vessel that has fished for halibut in Area 3B or Area 4 unless the license of said vessel has been validated at a port or place in Area 3B as required in § 301.4 (f) or unless permission to unload such halibut has been secured from an enforcement officer of either of said Governments.

§ 301.9 *Closed small halibut grounds.* (a) The following areas have been found to be populated by small, immature halibut and are closed to halibut fishing, and no person shall fish for halibut in either of such areas, or shall have halibut in his possession while fishing for other species therein, or shall have halibut of any origin in his possession therein excepting in the course of a continuous transit across such area.

(b) First, that area in the waters off the coast of Alaska within the following boundary as stated in terms of the magnetic compass unless otherwise indicated: From the north extremity of Cape Ulitka, Noyes Island, approximately latitude 55°33'48" N., longitude 133°43'35" W., to the south extremity of Wood Island, approximately latitude 55°39'44" N., longitude 133°42'29" W., thence to the east extremity of Timbered Islet, approximately latitude 55°41'47" N., longitude 133°47'42" W., thence to the true west extremity of Timbered Islet, approximately latitude 55°41'46" N., longitude 133°48'01" W., thence southwest three-quarters south sixteen and five-eighths miles to a point approximately latitude 55°34'46" N., longitude 134°14'40" W., thence southeast by south twelve and one-half miles to a point approximately latitude 55°22'23" N., longitude 134°12'48" W., thence northeast thirteen and seven-eighths miles to the southern extremity of Cape Addington, Noyes Island, latitude 55°-26'11" N., longitude 133°49'12" W., and to the point of origin on Cape Ulitka. The boundary lines herein indicated shall be determined from Chart 8157, as published by the United States Coast and Geodetic Survey at Washington, D. C., in June, 1929, and Chart 8152, as published by the United States Coast and Geodetic Survey at Washington, D. C., in March, 1933, and reissued March, 1939, except for the point of Cape Addington which shall be determined from Chart 8158, as published by the United States Coast and Geodetic Survey in December 1923: *Provided,* That the duly authorized officers of the United States of America may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such mark or marks shall thereafter be considered as correctly defining said boundary.

(c) Second, that area lying in the waters off the northern coast of Graham Island, British Columbia, within the following boundary, and including the waters of Sturgess Bay, Masset Sound, Masset Inlet, and bays and inlets thereof: From the northwest extremity of Wiah Point, latitude 54°06'50" N., longitude 132°19'18" W., true north five and one-half miles to a point approximately latitude 54°12'20" N., longitude 132°19'18" W., thence true east approximately sixteen and three-tenths miles to a point which shall lie northwest (according to magnetic compass at any time) of the highest point of Tow Hill of Graham Island, latitude 54°04'24" N., longitude 131°48'00" W., thence southeast to the said highest point of Tow Hill. The points on the shoreline of the above-mentioned island shall be determined from Chart 3754, published at the Admiralty, London, April 11, 1911. *Provided,* That the duly authorized officers of the Dominion of Canada may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such marks shall thereafter be considered as correctly defining said boundary.

§ 301.10 *Dory gear prohibited.* The use of any hand gurdy or other appliance in hauling halibut gear by hand power in any dory or small boat operated from a vessel licensed under the provisions of this part is prohibited in all convention waters.

§ 301.11 *Nets prohibited.* (a) It is prohibited to retain halibut taken in Areas 1A, 1B, 2A, 2B, 2C, 3A and 3B with a net of any kind or to have in possession any halibut in said areas while using any net or nets other than bait nets for the capture of other species of fish, nor shall any license or permit validated for said areas under this part be valid during the use or possession on board of any net or nets other than bait nets: *Provided,* That the character and the use of said bait nets conform to the laws and regulations of the country where they may be utilized and that said bait nets are utilized for no other purpose than the capture of bait for said vessel.

(b) It is prohibited to retain halibut taken in Area 4 with any net which does not have a cod end or fish bag of webbing whose dry stretched mesh measures 12 inches or more between knots or hog rings, nor shall any license or permit held by any vessel fishing for crabs in Area 4 be valid for the possession of halibut during the use or possession on board of any net which does not have a cod end or fish bag of webbing whose dry stretched mesh measures 12 inches or more between knots or hog rings.

§ 301.12 *Retention of tagged halibut.* Nothing contained in this part shall prohibit any vessel at any time from retaining and landing any halibut which bears an International Fisheries Commission tag at the time of capture: *Provided,* That such halibut with the tag still attached is reported at the time of landing to representatives of the International

Fisheries Commission or to enforcement officers of either of said Governments and is made available to them for examination.

§ 301.13 *Responsibility of master* Wherever in this part any duty is laid upon any vessel, it shall be the personal responsibility of the master or operator of said vessel to see that said duty is performed and he shall personally be responsible for the performance of said duty. This provision shall not be construed to relieve any member of the crew of any responsibility with which he would otherwise be chargeable.

§ 301.14 *Supervision of unloading and weighing.* The unloading and weighing of the halibut of any vessel licensed under this part and the unloading and weighing of halibut and other species of any vessel holding a permit under this part shall be under such supervision as the customs or other authorized officer may deem advisable in order to assure the fulfillment of the provisions of this part.

§ 301.15 *Previous regulations superseded.* The regulations in this part shall supersede all previous regulations adopted pursuant to the Convention between the United States of America and the Dominion of Canada for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, signed January 29, 1937, except as to offenses occurring prior to the approval of this part. This part shall be effective as to each succeeding year, with the dates herein specified changed accordingly, until superseded by subsequently approved regulations. Any determination made by the International Fisheries Commission pursuant to this part shall become effective immediately.

G. W NICKERSON,
Chairman.
SETON H. THOMPSON,
G. R. CLARK,
EDWARD W ALLEN,
Secretary.

Approved: May 11, 1953.

DWIGHT D. EISENHOWER,
The White House.

[F. R. Doc. 53-4434; Filed, May 19, 1953; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

IDAHO

NOTICE OF FILING OF PLAT OF SURVEY

MAY 8, 1953.

Notice is hereby given that the plat of the original survey of the following described lands, accepted March 12, 1953, will be officially filed in the Land and Survey Office, Boise, Idaho, effective at 10:00 a. m., on the 35th day after the date of this notice:

T. 22 N., R. 22 E., B. M., Idaho:
Sec. 17, Lot 4.
Sec. 20, Lots 1, 2, 3, 4, 5, 6, 7, 8.

The area described aggregates 48.56 acres.

This is a resurvey of the subdivisional lines and survey of an unnamed island in sections 17 and 20, under Special Instructions for Group No. 328, Idaho, dated March 8, 1948.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or desert land laws, or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279–284) as amended subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m., on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m., on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m., on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m., on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office at Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title to the extent such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Boise, Idaho.

PAUL A. SHEPARD,
Manager

[F. R. Doc. 53-4439; Filed, May 19, 1953; 8:51 a. m.]

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 53-9]

APPROVAL OF EQUIPMENT; CORRECTION OF PRIOR DOCUMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F R. 6521) and in compliance with the authorities cited below with the item of equipment, the following correction shall be made on Coast Guard Document CGFR 53-9, F R. Doc. 53-2407, filed March 17, 1953, and published in the FEDERAL REGISTER dated March 18, 1953 (18 F R. 1553) under the heading "Structural Insulation," the Approval No. 164.007/28/1 is revised by adding the manufacturer's name and address so that the approval reads as follows:

Approval No. 164.007/28/1, "Weber's Super '48' Insulating Cement," plaster type structural insulation identical to that described in National Bureau of Standards Test Report No. TG10210–1782; FP3061 dated August 10, 1951, approved for use without other insulating material to meet Class A–60 requirements in a 2½" thickness, manufactured by Forty-Eight Insulations, Inc., Aurora, Ill. (Supersedes Approval No. 164.007/28/0 published in FEDERAL REGISTER dated December 7, 1951.)

(R. S. 4405, 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 346, 1028, and sec. 5 (e), 55 Stat. 244, 245, as amended; 46 U. S. C. 367, 369, 375, 391a, 404, 463a, 1333, 50 U. S. C. App. 1275)

Dated: May 14, 1953.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 53-4440; Filed, May 19, 1953; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18500, Amdt.]

KENZO HORIKIRI ET AL

In re: Securities owned by Kenzo Horikiri and others.

Vesting Order 18500, dated September 20, 1951, is hereby amended as follows and not otherwise:

By deleting from Exhibit A of the aforesaid Vesting Order 18500 the name "Socony-Vacuum Oil Co. Inc." and the par value "$15.00" set forth with respect to capital stock of said company and substituting therefor the name "Socony-Vacuum Corporation" and the par value "$25.00"

By deleting from Exhibit B of the aforesaid Vesting Order 18500 the description of issue set forth with respect to Republic of Bolivia Bonds and substituting therefor the following description of issue "Republic of Bolivia 7 Percent External Secured Sinking Funds bonds of 1928, due 1969"

By deleting from Vesting Order 18500, Exhibit C, attached to and by reference made a part thereof and substituting therefor the Exhibit C, attached hereto and by reference made a part hereof,

All other provisions of said Vesting Order 18500, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 14, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

EXHIBIT C

Description of issue	Face value	Certificate Nos.	Form of registration	Owner
U. S. Savings Bond, Series E, dated Feb. 1, 1942.	$100	C0974804E	Mr. Taizo Shishido or Mrs. Tomo Shishido.	Tomo Shishido.
U. S. Savings Bond, Series E, dated Nov. 1, 1941.	25	Q5085995E	Masaumon Motonari, payable on death to Mrs. Chiyono Motonari.	Chiyono Motonari.
Do	25	Q5085996E	do	Do.
Do	25	Q5085997E	do	Do.
Do	25	Q5085998E	do	Do.
United States Treasury 3¾ Percent Bonds of 1946-56.	5,000	J00011069	Bearer	Daihyaku Life Insurance Mutual Co.
Do	5,000	F00000086	do	Do.
Do	10,000	B00014122	do	Do.
Do	10,000	C00014123	do	Do.
Do	10,000	F00023893	do	Do.
Do	10,000	B00031752	do	Do.
Do	10,000	C00031817	do	Do.
Do	10,000	H00031818	do	Do.
Do	10,000	H00002003	do	Do.
Do	10,000	J00002009	do	Do.
Do	10,000	F00031846	do	Do.
United States Treasury 3⅜ Percent Bonds of 1943-47.	10,000	J00024469	do	Do.
Do	10,000	K00024470	do	Do.

[F. R. Doc. 53-4438; Filed, May 19, 1953; 8:50 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below: conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended December 31, 1951, 16 F. R. 12043, and June 2, 1952; 17 F. R. 3818).

Benjamin & Johnes, Inc., 413 South Clinton Avenue, Dunn, N. C., effective 5-6-53 to 11-5-53; 15 learners for expansion purposes (women's foundation garments).

Cotton City Wash Frocks, Inc., 52 Twelfth Street, Fall River, Mass., effective 5-19-53 to 5-18-54; 10 percent of the factory production workers (misses' and women's cotton wash dresses).

Ely & Walker Factory, Paragould, Ark., effective 5-6-53 to 11-5-53; 100 learners for expansion purposes (sport shirts).

Fayetteville Shirt Corp., 971 Bragg Boulevard, Fayetteville, N. C., effective 5-7-53 to 11-6-53; 25 learners for expansion purposes (men's sport shirts).

Fayetteville Shirt Corp., 971 Bragg Boulevard, Fayetteville, N. C., effective 5-19-53 to 5-18-54; 10 percent of the factory production workers (men's sport shirts).

Gross Galesburg Co., 154 North Main Street, Canton, Ill., effective 5-6-53 to 5-5-54; 10 learners for normal labor turnover (dungarees, one-piece work shirts, work jackets).

Gross Galesburg Co., Main Street, Charlton, Iowa, effective 5-6-53 to 5-5-54; 10 learners for normal labor turnover (work pants and shirts).

Gross Galesburg Co., 152 East Ferris Street, Galesburg, Ill., effective 5-6-53 to 5-5-54; 10 learners for normal labor turnover (men's and boys' overalls).

Hollywood Corset Co., East Main Street, Eastland, Tex., effective 5-19-53 to 5-18-54; 10 learners for normal labor turnover (brassieres).

Kelser Dress Corp., Oak and Independence Streets, Shamokin, Pa., effective 5-7-53 to 5-6-54; 5 learners for normal labor turnover (ladies' and misses' cotton and rayon dresses).

King Sportswear Co., Inc., Main Street, Mocanaqua, Pa., effective 5-14-53 to 5-13-54; 8 learners. No learners may be employed at subminimum wage rates in the production of children's skirts, jumpers, and lined suits (children's sportswear).

M and J Dress Co., 513 Maple Street, Old Forge, Pa., effective 5-7-53 to 5-6-54; 10 learners for normal labor turnover (ladies' dresses).

Morgan Shirt Co., Inc., Morgantown, W. Va., effective 5-5-53 to 5-4-54; 10 percent of the factory production workers (dress and sport shirts).

Oberman Manufacturing Co., Jefferson City, Mo., effective 5-15-53 to 5-14-54; 10 percent of the factory production workers (men's and boys' single pants).

Pollak Brothers, Inc., 227 West Main Street, Fort Wayne, Ind., effective 5-12-53 to 5-11-54; 10 percent of the factory production workers (house dresses, smocks, brunch coats).

Shari Manufacturing Co., Wilkes-Barre, Pa., effective 5-7-53 to 5-6-54; 10 percent of the factory production workers, or 10 learners, whichever is greater (ladies' dresses).

Sherrod Shirt Co., Independence, Va., effective 5-4-53 to 5-3-54; 10 learners for normal labor turnover (work pants).

Smoler Bros., Inc., Kay Ashton Division, Herrin, Ill., effective 5-6-53 to 5-5-54; 10 percent of the factory production workers (women's, misses' and junior dresses).

Sunnyvale, Inc., 3 South Webster Avenue, Scranton, Pa., effective 5-5-53 to 5-4-54; 10 percent of the factory production workers (cotton and rayon dresses).

Sylvia Manufacturing Co., 240 Penn Avenue, Scranton, Pa., effective 5-8-53 to 5-7-54; 6 learners for normal labor turnover (children's and pre-teen's sportswear).

Tidewater Garment Co., Inc., 2309 Washington Avenue, Newport News, Va., effective 5-6-53 to 11-5-53; 30 learners for expansion purposes (cheap cotton dresses).

Woodbury Manufacturing Co., 685 Carey Avenue, Wilkes-Barre, Pa., effective 5-9-53 to 5-8-54; 10 percent of the factory production workers (shirts).

Independent Telephone Industry Learner Regulations (29 CFR 522.82 to 522.93, as amended January 25, 1950; 15 F. R. 393).

Public Utilities Co., Crossett, Ark., effective 5-6-53 to 5-5-54.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952; 16 F. R. 12866)

Hampton Underwear Co., Inc., Oak Street, Greenwood, S. C., effective 5-19-53 to 5-18-54; 4 learners (men's woven undershorts).

Lincolnton Underwear Co., Inc., Lincolnton, Ga., effective 5-12-53 to 5-11-54; 5 percent of the total number of factory production workers (not including office and sales personnel) (men's woven shorts).

McCormick Underwear Co., Inc., McCormick, S. C., effective 5-19-53 to 5-18-54; 4 learners (men's woven undershorts).

I. Mathews and Bros., 274 Belleville Avenue, New Bedford, Mass., effective 5-8-53 to 5-7-54; 5 learners (children's and ladies' low end underwear).

The Puritan Sportswear Corp., 813 Twenty-fifth Street, Altoona, Pa., effective 5-6-53 to 5-5-54; 5 percent of the total number of factory production workers (not including office and sales personnel) (men's knitted outerwear).

Rita Manufacturing Co., Lehigh and Wire Streets, Allentown, Pa., effective 5-8-53 to 5-7-54; 3 learners (cotton polo shirts).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14)

Luverne Chair Co., Luverne, Ala., effective 5-7-53 to 11-6-53; 5 learners. Chair bottom weavers, 240 hours at 65 cents per hour (straight chairs).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 11th day of May 1953.

MILTON BROOKE,
Authorized Representative of the Administrator

[F. R. Doc. 53-4417; Filed, May 19, 1953; 8:45 a. m.]

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214, as amended, 63 Stat. 910), and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525) and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201.1102)

The names and addresses of the sheltered workshops, wage rates and the effective and expiration dates of the certificates are set forth below. In each case, the wage rates are established at rates not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or at wage rates stipulated in the certificate, whichever is higher.

Social Service Workroom, The Mount Sinai Hospital, 11 East 100th Street, New York 29, N. Y., at a wage rate of not less than 30 cents per hour for a training period of 160 hours, and 35 cents thereafter. Certificate is effective May 1, 1953, and expires April 30, 1954.

The Queensboro Tuberculosis and Health Association, Inc., 187-40 Hollis Avenue, Hollis, N. Y., at a wage rate of not less than 50 cents per hour. Certificate is effective May 1, 1953, and expires April 30, 1954.

Goodwill Industries of Brooklyn, Inc., 369 De Kalb Avenue, Brooklyn 5, N. Y., at a wage rate of not less than 60 cents per hour. Certificate is effective May 1, 1953, and expires April 30, 1954.

Institute for the Crippled and Disabled, 400 First Avenue, New York 10, N. Y., at a wage rate of not less than 5 cents per hour for an evaluation period of 105 hours, 5 cents thereafter in the Therapy Divisions, and 10 cents thereafter in the Contract Division. Certificate is effective April 13, 1953, and expires March 31, 1954.

The Brooklyn Association for Improving the Condition of the Poor, 401 State Street, Brooklyn 17, N. Y., at a wage rate of not less than 50 cents per hour for an evaluation period of 160 hours, and 60 cents thereafter. Certificate is effective April 10, 1953, and expires March 31, 1954.

Pennsylvania Working Home for Blind Men, Thirty-sixth and Lancaster Avenue, Philadelphia, Pa., at a wage rate of 15 cents per hour for an evaluation period of 80 hours and a training period of 120 hours, 45 cents thereafter in the Mop Department, 40 cents thereafter in the Rug, Mat, and Broom Departments. Certificate is effective April 1, 1953, and expires March 31, 1954.

The Minneapolis Society for the Blind, Inc., 1936 Lyndale Avenue South, Minneapolis, Minn., at a wage rate of 50 cents per hour for an evaluation period of 160 hours and a training period of 160 hours, and 75 cents thereafter. Certificate is effective May 1, 1953, and expires April 30, 1954.

Duluth Lighthouse for the Blind, 312 West Superior Street, Duluth 2, Minn., at a wage rate of 40 cents per hour for an evaluation period of 160 hours and a training period of 80 hours, and 50 cents thereafter. Certificate is effective May 1, 1953, and expires April 30, 1954.

Home for Jewish Aged, 7801 Holmes, Kansas City 10, Mo., at a wage rate of 10 cents per hour for a training period of 160 hours, and 20 cents thereafter. Certificate is effective April 3, 1953, and expires September 30, 1953.

Goodwill Industries of Dallas, 2511 Elm Street, Dallas, Tex., at a wage rate of 55 cents per hour for an evaluation period of 80 hours and a training period of 80 hours, and 60 cents thereafter. Certificate is effective May 1, 1953, and expires April 30, 1954.

Los Angeles Center, California Industries for the Blind, 840 Santee Street, Los Angeles 14, Calif., at a wage rate of 15 cents per hour for an evaluation and/or a training period of 320 hours, and 40 cents thereafter. Certificate is effective April 21, 1953, and expires August 15, 1953.

Goodwill Industries of Long Beach and the Harbor Area, 457 Golden Avenue, Long Beach 12, Calif., at a wage rate of 50 cents per hour for an evaluation and/or a training period of 160 hours, and 65 cents thereafter. Certificate is effective May 1, 1953, and expires April 15, 1954.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 6th day of May 1953.

JACOB I. BELLOW,
Assistant Chief of Field Operations.

[F. R. Doc. 53-4418; Filed, May 19, 1953; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6000]

TWENTIETH CENTURY AIR LINES, INC., ET AL., ENFORCEMENT PROCEEDING

POSTPONEMENT OF HEARING

In the matter of Twentieth Century Air Lines, Inc., Trans National Airlines, Inc., Trans American Airways, Inc., Jacob Freed Adelman, d/b/a Hemisphere Air Transport, North American Aircoach System, Inc., and Stanley D. Weiss,

James Fischgrund, Jack B. Lewin and R. R. Hart, individually and as partners d/b/a Republic Aircoach System, also d/b/a Twentieth Century Aircraft Company, also d/b/a California Aircraft Company, and Stanley D. Weiss and James Fischgrund, as Partners, d/b/a Standard Airmotive Company—enforcement proceeding.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding, now assigned to be held on May 18, 1953, in Washington, D. C., is postponed and reassigned for hearing on June 23, 1953, at 10:00 a. m., P. d. s. t., in Room 810, Federal Building, 312 North Spring Street, Los Angeles, Calif., before William F. Cusick, Examiner.

Dated at Washington, D. C., May 14, 1953.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 53-4441; Filed, May 19, 1953; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9045, 10495]

PENN-ALLEN BROADCASTING CO. AND ALLENTOWN TELEVISION CORP.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Penn-Allen Broadcasting Company, Allentown, Pennsylvania, Docket No. 9045, File No. BPCT-486; Allentown Television Corporation, Allentown, Pennsylvania, Docket No. 10495, File No. BPCT-1008; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 6th day of May 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 67 in Allentown, Pennsylvania; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated February 18, 1953, that their applications were mutually exclusive and that a hearing would be necessary; that Penn-Allen Broadcasting Company was advised by the said letter that certain questions were raised as a result of deficiencies of a technical and financial nature which existed in its application and that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and that Allentown Television Corporation was advised by the said letter that certain questions were raised as a result of deficiencies of a legal and financial nature which existed in its application; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters, the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory; that Penn-Allen Broadcasting Company is legally qualified to construct, own and operate a television broadcast station, and is technically qualified to construct, own and operate a television broadcast station except as to the matters referred to in the issues below; and that Allentown Television Corporation is legally and technically qualified to construct, own and operate a television broadcast station;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 9:00 a. m. on June 8, 1953, in Washington, D. C., upon the following issues:

1. To determine whether the above-named applicants are financially qualified to construct, own, and operate the proposed television stations.

2. To determine whether the location of the television antenna proposed by Penn-Allen Broadcasting Company will adversely affect the ability of standard broadcast Stations WSAN and WKAP to operate in accordance with the terms of their licenses, particularly with respect to the radiation patterns of those stations, and whether corrective measures for such effects are possible and feasible.

3. To determine whether the installation and operation of the station proposed by Penn-Allen Broadcasting Company in its above-entitled application would constitute a hazard to air navigation.

4. To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: May 12, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-4430; Filed, May 19, 1953; 8:48 a. m.]

[Docket Nos. 10289, 10290]

HEAD OF THE LAKES BROADCASTING CO. AND RED RIVER BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re applications of Head of the Lakes Broadcasting Co., Superior, Wisconsin, Docket No. 10289, File No. BPCT-621, Red River Broadcasting Co., Inc., Duluth, Minnesota, Docket No. 10290, File No. BPCT-903; for construction permits for new television stations.

There being under consideration a motion, filed on May 1, 1953, by Head of the Lakes Broadcasting Company, for continuance of the hearing now scheduled for May 18, 1953;

It appearing, that in support of the motion movant alleges: (1) That it has pending a petition for leave to amend its application so as to request Channel 6 in place of Channel 3, which has been referred by the Examiner to the Commission for appropriate action, and that since the grant of the requested amendment would eliminate any hearing on Channel 3, the scheduled hearing should be continued until the Commission acts upon the petition for leave to amend; and (2) that a hearing should not be held on Channel 3 prior to determination, by the United States Court of Appeals for the District of Columbia Circuit, of a pending petition for review of an order of the Commission refusing consolidation of the two hearings involving applicants for television stations on Channels 3 and 6 at Duluth, Minnesota, and Superior, Wisconsin, since reversal of the Commission's action by the Court of Appeals would necessitate rehearing at substantial additional expense to the parties (movant also asserting that a grant of the petition for leave to amend and designation of the application for Channel 6 for hearing would render the pending court action moot) and that movant requests "that the hearing be continued without date to a time subsequent to action by the Commission on the Petition for Leave to Amend to Channel 6 or subsequent to Court decision on the pending appeal"; and

It further appearing, that counsel for Red River Broadcasting Company has no objection to a grant of the motion; and that the Chief of the Commission's Broadcast Bureau, in an answer filed on May 7, 1953, states that he does "not oppose a continuance of the Channel 3 proceeding for 30 days"; and

It further appearing, that a continuance based upon the pendency of the court proceeding mentioned above might prove unreasonably protracted in view of the uncertain duration of the litigation, but that a continuance to await the action of the Commission on movant's petition for leave to amend is indicated; and that such continuance should be no longer than is necessary under the circumstances;

It is ordered, This 8th day of May 1953, that the motion for continuance is granted to the extent indicated herein, and that the hearing now scheduled for May 18, 1953, is continued without date, subject to being rescheduled upon 10 days' notice after action by the Com-

mission on movant's petition for leave to amend.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-4432; Filed, May 19, 1953; 8:49 a. m.]

[Docket Nos. 10424, 10425]

RADIO FORT WAYNE, INC., AND ANTHONY WAYNE BROADCASTING

ORDER CONTINUING HEARING

In re applications of Radio Fort Wayne, Inc., Fort Wayne, Indiana, Docket No. 10424, File No. BPCT-1040; James R. Fleming and Paul V. McNutt, d/b as Anthony Wayne Broadcasting, Fort Wayne, Indiana, Docket No. 10425, File No. BPCT-1400; for construction permits for new television stations.

The Commission having under consideration a petition filed on May 11, 1953, by Radio Fort Wayne, Inc., requesting that further hearing on the above applications, presently scheduled for May 15, 1953, be continued until May 22, 1953, because counsel has been confined to bed and will not be available upon the date presently scheduled;

It appearing, that counsel for the other party to this proceeding and counsel for the Commission have indicated that they have no objection to the granting of the above petition and have agreed to a waiver of the "four-day rule";

It is ordered, This 12th day of May 1953, that the above petition is granted and the further hearing is continued until 10:00 a. m. on May 22, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

F. R. Doc. 53-4433; Filed, May 19, 1953; 8:49 a. m.]

[Docket Nos. 10493, 10494]

B. BRYAN MUSSELMAN ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of B. Bryan Musselman, Olivia P Musselman, Reuel H. Musselman, Albert L. Wentz and Paul I. Wentz, Allentown, Pennsylvania, Docket No. 10493, File No. BPCT-958; Queen City Television Company, Inc., Allentown, Pennsylvania, Docket No. 10494, File No. BPCT-1001, for construction permits for new television broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of May 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 39 in Allentown, Pennsylvania, and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated February 18, 1953, that their applications were mutually exclusive and that a hearing would be necessary; that B. Bryan Musselman et al. were advised by the said letter that certain questions were raised as a result of deficiencies of a financial and technical nature in their application; and that Queen City Television Company, Inc. was advised by the said letter that certain questions were raised as a result of deficiencies of a technical nature in its application and that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved, and was advised by a letter dated April 20, 1953, that certain questions were raised as a result of deficiencies of a financial nature in its application; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters, the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory and that each of the above named applicants is legally qualified to construct, own and operate a television broadcast station, and is technically qualified to construct, own and operate a television broadcast station except as to the matters referred to in the issues below;

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 9:00 a. m. on June 8, 1953, in Washington, D. C., upon the following issues:

1. To determine whether the above-named applicants are financially qualified to construct, own and operate the proposed television broadcast station.

2. To determine whether the erection of the television antenna and tower proposed in the above-entitled application of B. Bryan Musselman, et al., will adversely affect the ability of standard broadcast Station WKAP to operate in accordance with the terms of its license, particularly with respect to the operation of its radiating system, and whether corrective measures for such effects are possible and feasible.

3. To determine whether the installation and operation of the station proposed by Queen City Television Company, Inc. in its above-entitled application would constitute a hazard to air navigation.

4. To determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: May 12, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-4431; Filed, May 19, 1953; 8:49 a. m.]

[Docket Nos. 10496, 10497]

WTAG, INC., AND WILSON ENTERPRISES, INC.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of WTAG, Inc., Worcester, Massachusetts, Docket No. 10496, File No. BPCT-1060; Wilson Enterprises, Inc., Worcester, Massachusetts, Docket No. 10497, File No. BPCT-1241, for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of May 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 20 in Worcester, Massachusetts; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated September 4, 1952, and February 18, 1953, that their applications were mutually exclusive; that WTAG, Inc., was notified by a letter dated February 18, 1953, that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved, and was notified by a letter dated April 21, 1953, that certain questions were raised as a result of deficiencies of a technical nature in its application; and that Wilson Enterprises, Inc. was notified by a letter dated February 18, 1953, that certain questions were raised as a result of deficiencies of a legal and technical nature in its application, and that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters, the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory; and that each of the above-named appli-

cants is legally, financially, and technically qualified to construct, own and operate a television broadcast station;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 9:00 a. m., on June 8, 1953, in Washington, D. C., to determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

Released: May 12, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-4429; Filed, May 19, 1953; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6499]

DELAWARE POWER & LIGHT CO. ET AL.

ORDER SUSPENDING RATE SCHEDULES

In the matter of Delaware Power & Light Company, The Eastern Shore Public Service Company of Maryland, and Eastern Shore Public Service Company of Virginia; Docket No. E-6499.

Delaware Power & Light Company (Delaware Company) on April 15, 1953, submitted for filing a proposed supplemental rate schedule, tentatively designated as Supplement No. 1 to its Rate Schedule FPC No. 17, increasing the rates and charges under the present pooling agreement with its wholly owned subsidiaries, The Eastern Shore Public Service Company of Maryland (Maryland Company) and Eastern Shore Public Service Company of Virginia (Virginia Company) Delaware Company also submitted for filing concurrences, on the part of Maryland Company designated Supplement No. 1 to Rate Schedule FPC No. 2 and on the part of Virginia Company designated Supplement No. 1 to Rate Schedule FPC No. 2, in the aforesaid Supplement No. 1 to Rate Schedule FPC No. 17.

The present rate schedule embodied in the pooling agreement provides for the pooling of those production and transmission facilities of the three above companies known as the Vienna system, located in the southern portion of the area between Delaware and Chesapeake Bay. Maryland Company is the principal supplier of the energy requirements of the pool.

The present rate schedule provides for each company billing the pool for its direct costs incurred in supplying energy to the pool by taking 11.5 percent of the original cost (undepreciated) of its production plant and transmission facilities used for pool operations, plus a charge of 9.5 percent on production materials and supplies, plus associated production and transmission expenses. The total charges by the three companies constitute the total costs of the pool which are then allocated among the participants on the basis of their respective uses of pool energy. The difference between the cost incurred by each company in supplying energy to the pool and the costs of the pool allocated to it because of its use of pool energy becomes its net power bill.

The proposed supplement provides for (1) use of a formula for the determination of a Federal Income Tax component, (2) a nominal reduction in other components, (3) crediting pool costs with revenues received from pool sales to other utilities. As a result of these changes and applying the present Federal income tax rate (52 percent) charges are increased to 13 percent on gross plant investment and 11.5 percent on production materials, so that for the year ending March 31, 1953, the allocation of net pool billing would be as follows:

	Payment by Delaware Company	Charge by Maryland Company	Payment by Virginia Company
Proposed rate schedule	$1,791,800	$2,074,000	$282,200
Present rate schedule	1,703,969	1,974,496	270,000
Increase	87,031	100,204	12,273
Percent increase	5.10	5.07	4.54

As costs under the new rate schedules are computed on gross investment in pool facilities, such costs, and hence the charges based thereon, would tend to remain amount of energy under the new rate schedules and thus fail to reflect the decreasing return and associated income taxes required in order to provide a fair return on the decreasing net investment, resulting from the annual recoupment of part of the investment through the depreciation charge component.

The Commission finds:

(1) The increased rates or charges proposed by Supplement No. 1 to Delaware Company's Rate Schedule FPC No. 17, Supplement No. 1 to Maryland Company's Rate Schedule FPC No. 2, and Supplement No. 1 to Virginia Company's Rate Schedule FPC No. 2 may be unjust, unreasonable, unduly discriminatory or preferential.

(2) It is necessary, desirable and in the public interest that the Commission enter upon a hearing concerning the lawfulness of the aforesaid rate schedules as proposed to be amended, and that said proposed supplements be suspended pending such hearing and decision thereon.

The Commission orders:

(A) A public hearing be held at a time and place to be fixed by further order of the Commission concerning the lawfulness of the aforesaid rate schedules as proposed to be amended by the supplements.

(B) Pending such hearing and decision thereon, the proposed supplemental rate schedules be and the same hereby are suspended and the use of the rates or charges provided therein deferred until October 16, 1953, and, unless otherwise ordered by the Commission, may not be applied to any deliveries of energy prior to that date. Thereafter such proposed supplemental rate schedules shall go into effect in the manner prescribed by the Commission in accordance with the Federal Power Act.

(C) During the period of suspension, the rates or charges heretofore in effect under Delaware Company's Rate Schedule FPC No. 17, Maryland Company's Rate Schedule FPC No. 2 and Virginia Company's Rate Schedule FPC No. 2 on file with the Commission, shall remain and continue in effect.

(D) At the hearing ordered herein, the burden of proof to show that the aforesaid rate schedules as proposed to be amended by the supplements are just and reasonable and not unduly discriminatory or preferential shall be upon the Delaware, Maryland and Virginia companies.

(E) Interested state commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules, effective January 1, 1948 (18 CFR 1.8 and 1.37 (f)).

Adopted: May 14, 1953.

Issued: May 14, 1953.

By the Commission

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-4419; Filed, May 19, 1953; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-183]

EASTERN UTILITIES ASSOCIATES

MEMORANDUM OPINION AND ORDER APPROVING REORGANIZATION PLAN, AS AMENDED

MAY 14, 1953.

On April 20, 1953, Eastern Utilities Associates ("EUA") a registered public-utility holding company, submitted for our approval under section 11 (e) of the Public Utility Holding Company Act of 1935 (the "act") an amendment to Step 2 of its Amended Reorganization Plan No. 4 (the "plan") This amendment proposes, among other things, to increase to fifteen the number of persons who will constitute EUA's Board of Trustees and to omit the annual meeting of shareholders in 1953. This amendment also includes a list of persons to serve on EUA's reconstituted Board of Trustees.

On December 18, 1952, we issued our findings and opinion and order approving EUA's Plan. On February 10, 1953, upon our application filed at the request of EUA, the United States District Court for the District of Massachusetts entered an order approving and enforcing the plan. On April 17, 1953, the Court, upon petition of EUA, entered an order which,

among other things, suspended the operation of the plan's provision for the selection of EUA's reconstituted Board and granted leave to EUA to file with us the above mentioned amendment.

On April 24, 1953, we issued a notice of filing with respect to the amendment stating that any interested person might, not later than May 11, 1953, at 2:30 p. m., request in writing that a hearing be held on the amendment. No such requests have been received by us and, having considered the amendment and the entire record with respect thereto, we make the following findings:

Under the plan and under EUA's Amended Declaration of Trust previously approved by us and by the Court, EUA's Board of Trustees would consist of eleven members. The plan provided the mechanics of selecting EUA's reconstituted Board. Under the plan, EUA was required to submit for our approval a list of persons to serve on its Board and prior to February 27, 1953, the plan's effective date, EUA did so. If, prior to this date, we did not approve or the participants in the proceeding could not agree upon the Board submitted, EUA was required to put into operation a procedure for the nomination and election of a board by shareholders which procedure was set forth as an exhibit to the plan. This procedure would begin to function within thirty days after the date on which 75 percent of the new common shares of EUA allocated to EUA's convertible shareholders under the plan were distributed to such shareholders.

Prior to the effective date of the plan, one participant in this proceeding filed an objection to the Board as submitted by EUA. We heard oral argument on this objection and certain other participants joined in and supported the objection. There was a clear absence of agreement upon the Board as submitted and, on February 26, 1953, we withheld our approval (Holding Company Act Release No. 11733) Before 75 percent of the new common shares of EUA were distributed to EUA's convertible shareholders, EUA and the participants agreed upon a board and certain other modifications to the plan. Thereafter, EUA filed this amendment.

Under the amendment, EUA proposes to modify its Amended Declaration of Trust to increase the number of its Trustees from eleven to fifteen. The amendment further proposes that no annual meeting of shareholders (normally held in April) will be held in 1953. The present EUA Board of Trustees will be reconstituted to consist of the following persons:

Jay B. Angevine, trustee of EUA since 1941.
Powell M. Cabot, trustee of EUA since 1947.
Lucius T. Hill, trustee of EUA since 1947.
Percy Hodgson, trustee of EUA since 1949.
Warren Motley, trustee of EUA since 1938.
Guido R. Perera, president of EUA since 1949 and trustee from 1938 to 1941 and 1946 to date.
Clarence C. Reed, trustee of EUA since 1950.
W. Kent Cochran, financial analyst.
Philip L. Warren, investment adviser and consultant.
Emos Curtin, director of American & Foreign Power Co., Inc.
Jay Samuel Hartt, consulting engineer.
Leeds Burchard, president of Citizens Savings Bank of Fall River, Mass.
George M. Shannon, investment consultant.
Charles K. Shaw, president and treasurer of Shaw Paper Box Co.; Pawtucket, R. I.
Henry A. Wood, Jr., partner of law firm of Walch and Forbes, Boston, Mass.

The plan, which is in the process of consummation pursuant to its terms and provisions, has not been changed in any other respect. Nor does the amendment have an adverse effect on EUA's security holders or effectuate a material change in the method of selecting a Board of Trustees. As we have said on other occasions with respect to a reconstituted board such as this, it is highly desirable to have substantial agreement among the participants representing the voting shareholders. Now such agreement exists. In addition, we have considered the record and find that the board submitted is representative of EUA's shareholders. Accordingly, we approve this board.

We note that the amendment does not provide a date on which the reconstituted board should take office. We believe that, subject to court approval, the board should take office promptly. EUA has requested that we apply to the Court for a supplemental order enforcing and carrying out the plan, as modified by the proposed amendment. This we will do and in the Court proceeding we will request that the Court order provide for the prompt filing of the proposed amendment to EUA's Declaration of Trust, and the right of the new Board of Trustees to take office promptly.

On the basis of the entire record, we find, pursuant to section 11 (e) of the act and subject to all reservations of jurisdiction herein not heretofore released, that the plan, as modified by the proposed amendment, is necessary to effectuate the provisions of section 11 (b) and is fair and equitable to the persons affected.

It is therefore ordered, Pursuant to section 11 (e) of the act and the other applicable provisions of the act, that the plan, as modified by the proposed amendment, be, and it hereby is, approved, subject to the conditions contained in Rule U-24 and subject further to the continuance of all reservations of jurisdiction herein not heretofore released by order.

It is further ordered, That this order shall not be operative to authorize the consummation of any of the transactions proposed in the instant amendment to the plan unless and until the United States District Court for the District of Massachusetts, upon application thereto, enters an order enforcing the plan, as amended by the proposed amendment.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-4425; Filed, May 19, 1953; 8:48 a. m.]

[File No. 70-3049]

SOUTHWESTERN GAS AND ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE REGARDING PROPOSED AMENDMENT TO CERTIFICATE OF INCORPORATION INCREASING AUTHORIZED PREFERRED AND COMMON STOCK

MAY 14, 1953.

Southwestern Gas and Electric Company ("Southwestern Gas") a public utility subsidiary of Central and South West Corporation, a registered holding company, having filed, pursuant to the Public Utility Holding Company Act of 1935 ("act") a declaration in respect of a proposal to amend its Certificate of Incorporation to increase its authorized $100 par value preferred stock from 125,000 shares to 200,000 shares, and to increase its authorized $10 par value common stock from 2,000,000 shares to 2,500,000 shares; and

The Commission having by order entered April 24, 1953 approved the solicitation of proxies from the preferred stockholders to be voted at a special meeting to be held May 19, 1953 in favor of the proposed amendment increasing the authorized preferred stock; and at the same time notice of the filing of said declaration having been given in the form and manner prescribed by Rule U-23 under the act, and the Commission not having received a request for, and not having ordered, a hearing in respect of said declaration; and

The Commission finding that the applicable provisions of the act and the rules and regulations thereunder have been satisfied, and observing no basis for adverse findings or for the imposition of terms and conditions other than those contained in Rule U-24, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective, forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions contained in Rule U-24 thereunder, that said declaration be permitted to become effective, forthwith, and that this order shall become effective upon its issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-4420; Filed, May 19, 1953; 8:46 a. m.]

[File No. 70-3058]

SOUTHWESTERN DEVELOPMENT CO. ET AL.

NOTICE OF PROPOSED ISSUANCE AND SALE OF UNSECURED NOTES BY PARENT COMPANY TO BANKS AND ISSUANCE AND SALE OF LIKE AMOUNT OF NOTES BY SUBSIDIARIES TO PARENT

MAY 14, 1953.

In the matter of Southwestern Development Company, Amarillo Gas Company, Amarillo Oil Company, and West Texas Gas Company; File No. 70-3058.

Notice is hereby given that Southwestern Development Company,

("Southwestern") a registered holding company, and its wholly-owned subsidiaries, Amarillo Gas Company ("Amarillo Gas") Amarillo Oil Company ("Amarillo Oil") and West Texas Gas Company ("West Texas") have filed a joint application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act") Applicants-declarants have designated sections 7, 10 and 12 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than May 27, 1953, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues, if any, of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 27, 1953, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Southwestern has outstanding $5,500,000 principal amount of notes payable to Guaranty Trust Company of New York ("Guaranty") under a Loan Agreement dated August 11, 1950, and Supplemental Loan Agreements dated September 12, 1951, and July 15, 1952. Southwestern now proposes, pursuant to a Third Supplemental Agreement dated April 28, 1953, to borrow from Guaranty $4,500,000 from time to time but in no event later than November 1, 1953. Said borrowings will be evidenced by unsecured promissory notes dated as of the date of each such borrowing, maturing on September 1, 1954 and bearing interest at the rate of 3¼ percent per annum. In the event of prepayment of said notes, Southwestern is required to pay a premium of ½ of 1 percent of the amount prepaid, except that no such premium shall be payable if prepayment is made from the proceeds of loans having a final maturity not earlier than 10 years from the date thereof. After the issuance of the notes under the said Agreement of April 28, 1953, any prepayments will be divided between all the notes outstanding under the Loan Agreement and Supplements thereto pro rata as to the unpaid principal amount of each such note. Southwestern is to pay a commitment fee, computed at the rate of ½ of 1 percent per annum, from April 28, 1953 to November 1, 1953, on the unused portion of the bank's commitment to lend $4,500,000.

Southwestern proposes to advance the total proceeds of said loan to Amarillo Gas, Amarillo Oil and West Texas from time to time in the following aggregate principal amounts: Amarillo Gas, $500,000; Amarillo Oil, $600,000; and West Texas, $3,400,000. Each such sum advanced by Southwestern to the subsidiaries will be evidenced by promissory notes bearing the same date of issuance and maturity and the same rate of interest as the notes to be issued by Southwestern to Guaranty. As at March 31, 1953, Amarillo Gas, Amarillo Oil and West Texas had outstanding notes payable to Southwestern in the respective amounts of $1,155,000, $1,054,830.53 and $6,695,000.

Applicants-declarants state that the proceeds from the proposed loans will be used by the subsidiary companies to make enlargements and extentions to their natural gas facilities, to refund outstanding customer security deposits, to provide adequate working capital and for other corporate purposes. The aggregate construction requirements for the above subsidiaries for 1953 are estimated at $4,102,000 and customer security deposits aggregate approximately $1,114,000.

It is represented that no State commission or any other Federal commission has jurisdiction over the proposed transactions, and that no finders fee or commission is to be paid. It is estimated that legal fees and other expenses in connection with the proposed transactions will not exceed $1,000. Applicants-declarants request that the Commission's order herein become effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-4421; Filed, May 19, 1953; 8:46 a. m.]

[File No. 70-3062]

HEVI DUTY ELECTRIC CO.

NOTICE OF FILING REGARDING EXTENSION OF BANK LOAN NOTE FOR 12 MONTHS

MAY 14, 1953.

Notice is hereby given that an application has been filed by Hevi Duty Electric Company, a non-utility company which is a subsidiary of The North American Company, a registered holding company. The applicant has designated section 6 (b) of the act as being applicable to the proposed transaction which is summarized as follows:

By order dated June 30, 1952 (holding Company Act Release No. 11358) this Commission entered its order permitting Hevi Duty to borrow from the Chemical Bank & Trust Company of New York the sum of $300,000 at an interest rate of 3 percent per annum, such borrowing to be evidenced by an unsecured promissory note to extend for a period of six months with the privilege on the part of the company to renew such loan for an additional six-month period. Pursuant to order of this Commission dated December 22, 1952 the due date of said note has been extended to July 2, 1953. The present application states that because the company's need for working funds still continues, it is now proposed that such bank loan be renewed in the same principal amount at an interest rate of 3½ percent per annum for a further period of one year. No fees, commissions or other remuneration are to be paid to any third person in connection with the proposed transaction.

The Company states that no regulatory commission other than this Commission has jurisdiction over the proposed transaction.

The applicant has requested that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than June 3, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application which he desires to controvert or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-4422; Filed, May 19, 1953; 8:47 a. m.]

[File No. 70-3064]

COLUMBIA GAS SYSTEM, INC., AND UNITED FUEL GAS CO.

NOTICE OF PROPOSED ADVANCE ON OPEN ACCOUNT TO SUBSIDIARY COMPANY BY PARENT COMPANY

MAY 14, 1953.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia") a registered holding company, and United Fuel Gas Company ("United Fuel") a subsidiary company of Columbia have filed a joint declaration pursuant to the provisions of section 12 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-45 of the rules and regulations promulgated thereunder. All interested persons are referred to said joint declaration which is on file in the offices of this Commission for a more detailed statement of the transaction therein proposed, which is summarized as follows:

Columbia proposes to advance on open account to United Fuel, from time to time during 1953 as funds are required by that company, amounts aggregating not in excess of $7,700,000. Such amounts will bear interest at the rate of 3½ percent per annum and will be repayable in three equal installments on

February 25, March 25, and April 25, 1954.

It is represented that the funds to be advanced by Columbia will be used by United Fuel to finance the purchase of gas for its current inventory.

The joint declaration states that the proposed advance to be received by United Fuel is subject to the jurisdiction of the Public Service Commission of West Virginia.

Notice is further given that any interested person may, not later than May 26, 1953, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law, if any, raised by the said joint declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after that date, said joint declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-4423; Filed, May 19, 1953; 8:47 a. m.]

[File No. 70-3067]

COLUMBIA GAS SYSTEM, INC., ET AL.

NOTICE OF PROPOSED ADVANCES ON OPEN ACCOUNT TO FOUR SUBSIDIARY COMPANIES BY PARENT COMPANY

MAY 14, 1953.

In the matter of The Columbia Gas System, Inc., The Ohio Fuel Gas Company, The Manufacturers Light and Heat Company, Central Kentucky Natural Gas Company, and Home Gas Company; File No. 70-3067.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia") a registered holding company, and four of its subsidiary companies, namely, The Ohio Fuel Gas Company ("Ohio Fuel") The Manufacturers Light and Heat Company ("Manufacturers") Central Kentucky Natural Gas Company ("Central Kentucky") and Home Gas Company ("Home") have filed a joint declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-45 of the rules and regulations promulgated thereunder. All interested persons are referred to said joint declaration which is on file in the offices of this Commission for a more detailed statement of the transaction therein proposed, which is summarized as follows:

Columbia proposes to advance on open account to four of its subsidiaries, from time to time during 1953 as funds are required by them, varying amounts aggregating not in excess of $22,300,000, as follows:

Ohio Fuel	$15,000,000
Manufacturers	5,800,000
Central Kentucky	800,000
Home	700,000

Such advances will bear interest at the rate of 3⅛ percent per annum and will be repayable in three equal installments on February 25, March 25, and April 25, 1954.

It is represented that the funds to be advanced by Columbia will be used by the subsidiaries to finance the purchase of gas for their current inventories.

The joint declaration states that the proposed advances to be received by the subsidiary companies named herein are not subject to the jurisdiction of any State regulatory commission.

Notice is further given that any interested person may, not later than May 26, 1953, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest and the issues of fact or law, if any, raised by the said joint declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after that date, said joint declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-4424; Filed, May 19, 1953; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[No. MC-C-1520]

MULTIPLE DELIVERIES; NEW ENGLAND

NOTICE OF INVESTIGATION

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 28th day of April A. D. 1953.

The said Division having under consideration the matter of rates and charges, and the rules, regulations and practices affecting such rates and charges, applicable in connection with the transportation, in interstate and foreign commerce, of all property, except household goods, as defined in Practices of Motor Common Carriers of Household Goods, 17 M. C. C. 467, livestock, automobiles, dangerous explosives, and commodities of unusual size or value, by motor common carriers, between points within an area embracing all of the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, and between points within that territory, on the one hand, and, on the other, points within the State of New Jersey in Bergen, Essex, Union, and Middlesex Counties, and points within the State of New York in Bronx, Dutchess, Kings, Columbia, Nassau, New York, Putnam, Queens, Rensselaer, Richmond, Suffolk, and Westchester Counties, and good cause appearing therefor:

It is ordered, That an investigation be, and it is hereby, instituted by the said Division, upon its own motion, into and concerning the reasonableness and lawfulness otherwise of the rules, regulations and practices affecting rates and charges so far as they authorize or permit single shipments to be consigned to more than one consignee, when such shipments of the property described, and between the points referred to in the preceding paragraph of this order, move in interstate or foreign commerce, with a view to making such findings and orders in the premises as the facts and circumstances shall appear to warrant.

It is further ordered, That all common carriers of property by motor vehicle subject to the Interstate Commerce Act, operating between the points and participating in the transportation referred to in this order be, and they are hereby, made respondents to this proceeding; that a copy of this order be served upon each of the said respondents; and that notice to the public be given by posting a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, Washington, D. C.

And it is further ordered, That this matter be assigned for a hearing at a time and place to be hereinafter fixed.

By the Commission, Division 2.

[SEAL] GEORGE W LAIRD, *Acting Secretary.*

[F. R. Doc. 53-4426; Filed, May 19, 1953; 8:48 a. m.]